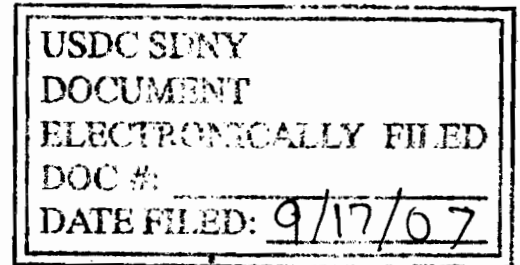


H. H. STEIN

Jeffrey S. Dubin (JD-0446)
Attorney for the Plaintiffs
464 New York Avenue
Suite 100
Huntington, New York 11743
(631) 351-0300
(631) 351-1900 FAX
dubinjs@cs.com



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRED ALSTON, as a Trustee of THE
LOCAL 272 LABOR-MANAGEMENT PENSION FUND;
FRED ALSTON, as a Trustee of THE
LOCAL 272 WELFARE FUND,

Plaintiffs,

-against-

COLLEGE PLACE ENTERPRISE LLC,

Defendant.

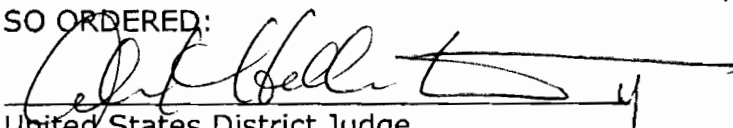
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IT IS HEREBY STIPULATED by the undersigned that, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the above action is dismissed without prejudice and without costs to either party, defendant not having answered. I hereby consent to the entry of this proposed order.

Dated: September 12, 2007

Jeffrey S. Dubin (JD-0446)
Attorney for Plaintiffs

SO ORDERED:



United States District Judge
Date 9-17-07